

### **REMARKS/ARGUMENTS**

No amendments are currently made to the claims. Claims 82-84 and 87-94 are pending in the application. In light of the remarks below and the Terminal Disclaimer concurrently filed herewith, Applicants respectfully request reconsideration and allowance of the pending claims. The Examiner's comments in the Office Action are addressed below.

#### **The Non-Statutory Double-Patenting Rejection of the Claims Should Be Withdrawn**

Claims 82-84 and 87-94 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 of commonly owned U.S. Patent No. 7,632,983. Applicants file concurrently herewith a terminal disclaimer in compliance with 37 C.F.R. §1.321(c). Reconsideration and withdrawal of this rejection is therefore respectfully requested.

### **CONCLUSION**

In view of the above remarks and terminal disclaimer filed concurrently herewith, Applicants respectfully submit that the non-statutory double-patenting rejection of the claims is now overcome. Applicants further submit that this application is now ready for allowance. Early notice to this effect is solicited. If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby

Appl. No.: 10/675,011  
Amendment Dated April 22, 2011  
Reply to Office Action of February 14, 2011

petitioned under 37 CFR § 1.136(a), and any fee required therefor is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/leslie t. henry/

Leslie T. Henry  
Registration No. 45,714

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Research Triangle Area Office (919) 862-2200  
Fax Research Triangle Area Office (919) 862-2260

**ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON APRIL 22, 2011.**